

United States Court of Appeals
For the Eighth Circuit

No. 15-1055

United States of America

Plaintiff - Appellee

v.

Ricardo Martinez

Defendant - Appellant

Appeal from United States District Court
for the Southern District of Iowa - Davenport

Submitted: July 21, 2015

Filed: July 24, 2015

[Unpublished]

Before LOKEN, BOWMAN, and GRUENDER, Circuit Judges.

PER CURIAM.

Ricardo Martinez appeals from the sentence the District Court¹ imposed in accordance with the terms of his plea agreement, which also included an appeal

¹The Honorable James E. Gritzner, United States District Judge for the Southern District of Iowa.

waiver. His counsel has moved for leave to withdraw and has filed a brief under Anders v. California, 386 U.S. 738 (1967), challenging the reasonableness of Martinez's sentence. Martinez has filed a pro se brief raising ineffective-assistance claims and suggesting that the District Court committed sentencing errors.

We decline to consider Martinez's ineffective-assistance claims on direct appeal. See United States v. Woods, 717 F.3d 654, 657 (8th Cir. 2013) (explaining that claims of ineffective assistance of counsel are usually best litigated in collateral proceedings). As to the remaining issues, we enforce the appeal waiver. See United States v. Andis, 333 F.3d 886, 889–92 (8th Cir.) (en banc) (discussing enforcement of appeal waivers), cert. denied, 540 U.S. 997 (2003). In addition, we have independently reviewed the record, see Penson v. Ohio, 488 U.S. 75, 80 (1988), and have found no non-frivolous issues for appeal outside the scope of the appeal waiver. Accordingly, we dismiss this appeal and grant counsel's motion for leave to withdraw.
